

Message

From: Wade, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE, ALEXIS]
Sent: 1/28/2020 8:13:24 PM
To: Wehling, Carrie [Wehling.Carrie@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: RE: Florida/404/ESA FR notice

That sounds good to me. Thank you.

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Tuesday, January 28, 2020 3:09 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Florida/404/ESA FR notice

Thanks, Simma.

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
U.S. Environmental Protection Agency
Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Tuesday, January 28, 2020 3:07 PM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Florida/404/ESA FR notice

Ok -

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

And then I'll ask if they want to elaborate further elsewhere.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Tuesday, January 28, 2020 2:49 PM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

Subject: Florida/404/ESA FR notice

Sounds fine to me. The more we can explain what this actually means, the better the comments will be, but I'm not sure whether that matters to folks on this particular matter....

Thanks.

Caroline (Carrie) Wehling
Assistant General Counsel
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202-564-5492
wehling.carrie@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>

Sent: Tuesday, January 28, 2020 2:35 PM

To: Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>

Subject: RE: ICRs and general rulemaking authority?

Hi Carrie,

The next step is that John Goodin wants to send back to Dave Ross for his review again.

Ex. 5 Deliberative Process (DP)

Simma Kupchan
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From: Wehling, Carrie <Wehling.Carrie@epa.gov>

Sent: Tuesday, January 28, 2020 2:31 PM

To: Wade, Alexis <Wade.Alexis@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>

Subject: RE: ICRs and general rulemaking authority?

No, I don't.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

What is the next step on this?

Thanks.

Carrie

Caroline (Carrie) Wehling
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202-564-5492
wehling.carrie@epa.gov

From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Monday, January 27, 2020 4:42 PM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: ICRs and general rulemaking authority?

Hi Carrie – Here's the latest draft with our comments. Let us know if you have any additional edits or comments.

Thanks,
Alexis

Alexis Wade
Attorney-Adviser
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EPA Office of General Counsel
(202) 564-3273

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Monday, January 27, 2020 1:59 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: ICRs and general rulemaking authority?

I guess I should look at it briefly just to remember what it says....
Thanks.
Carrie

Caroline (Carrie) Wehling
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From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Monday, January 27, 2020 12:17 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: ICRs and general rulemaking authority?

Carrie,

Just to close the loop, Mark:

Ex. 5 AC/DP

Ex. 5 AC/DP

Also, Alexis and I are just finalizing our edits to the very slightly modified FR notice before sending it back to OWOW for transmission to Dave. Do you want to see it before we send back? I don't think there are any particular issues that require your input, but let us know if you'd like to take one last look.

Thanks,

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Kupchan, Simma
Sent: Monday, January 27, 2020 11:39 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: ICRs and general rulemaking authority?

Great; thanks, Alexis. I will talk to Mark Talty about it.

Simma Kupchan
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From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Monday, January 27, 2020 11:37 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
Subject: RE: ICRs and general rulemaking authority?

FWIW, I was thinking along the same lines as you Simma on the authority question.

Ex. 5 AC/DP

Ex. 5 AC/DP

But

CCILO would have a better read on it, I think.

Alexis Wade
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From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Monday, January 27, 2020 11:00 AM
To: Wehling, Carrie <Wehling.Carrie@epa.gov>
Cc: Wade, Alexis <Wade.Alexis@epa.gov>
Subject: FW: ICRs and general rulemaking authority?

Carrie,

I just emailed CCILO with a few questions about the FL ESA notice. I thought I would also check with you in case you know the answers off the top of your head. Thanks!

First: Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Second:

Ex. 5 AC/DP

Ex. 5 AC/DP

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